

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
AT CINCINNATI**

TEDDY NICHOLS,	)	Case No. C-1-02-0045
	)	
Plaintiff,	)	Judge Beckwith
	)	
v.	)	
	)	
INDIANA MICHIGAN POWER CO.	)	
RIVER TRANSPORTATION DIVISION	)	
and/or AMERICAN ELECTRIC FUEL	)	
SUPPLY, RIVER TRANSPORTATION	)	
DIVISION,	)	
	)	
Defendant.	)	

**DEFENDANTS' THIRD SUPPLEMENTAL DISCLOSURE  
OF EXPERT TESTIMONY**

NOW COMES Defendants, Indiana Michigan Power Co. River Transportation Division and American Electric Fuel Supply, River Transportation Division, by and through counsel, and pursuant to Rule 26(a)(2) makes the following supplemental disclosure of expert testimony. Defendants reserve the right to amend this disclosure and further reserve the right to elicit opinions from experts not retained or specifically employed to provide expert testimony. The following individuals may be used to present evidence under Rule 702, 703 or 705 of the Federal Rules of Evidence.

**1. John Deck, III, 12236 Old State Road, Chardon, Ohio 44024, (440) 635-0531.**

Mr. Deck is a former Coast Guard officer and engineer who will testify as an expert on liability issues. Mr. Deck's curriculum vitae is attached hereto as Exhibit "A." A copy of the report authored by Mr. Deck in connection with the above-captioned action is attached hereto as Exhibit "B."

Respectfully submitted,

s/ Todd M. Powers  
Todd M. Powers (OH #0027122)  
Attorney for Defendants  
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**CERTIFICATE OF SERVICE**

\_\_\_\_ I hereby certify that a true and accurate copy of the foregoing was served upon the following this 17th day of March, 2004:

Gary Wm. Baun, Esq.  
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Birmingham, MI 48009  
**Attorney for Plaintiff**

s/ Todd M. Powers  
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